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August 29, 2023

Honorable Paul Engelmayer
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Aaron Ford, 22 CR 140 (PAE)

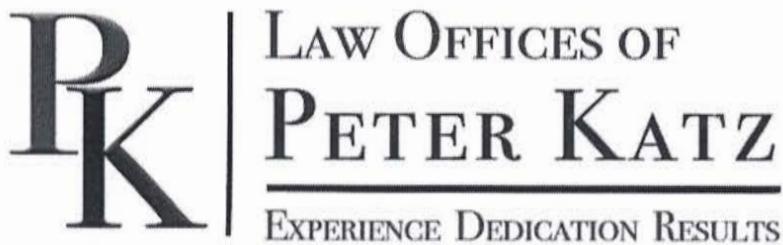
Dear Judge Engelmayer:

I represent Aaron Ford in the above referenced criminal case. On November 9, 2022 Your Honor sentenced Mr. Ford to six months incarceration followed by two years of supervised release with the first six months subject to home confinement. I write to request that Your Honor instruct Mr. Ford's probation officer to comply with all the terms and conditions of his sentence.

The Judgment entered by Your Honor on November 10, 2022 noted that, "During the period of home confinement, the defendant shall be permitted to take and pick up his children from daycare, to attend his job, to do childcare, and to go to and from any medical or legal appointments."

Mr. Ford has served his six months incarceration and is currently on home confinement until November 30, 2023. During the first two months while Mr. Ford was living in the Eastern District of California, there were no issues. Mr. Ford was fully compliant and his probation officers properly applied all the conditions and exceptions to home confinement. Specifically, the probation officers in the EDCA allowed Mr. Ford to provide childcare outside the home.

Recently, Mr. Ford has relocated to the Central District of California. The new Location Monitoring Specialist for the CDCA Department of Probation (who is separate from Mr. Ford's assigned probation officer) assigned to supervise Mr. Ford's home confinement is not permitting him to provide childcare outside of the home – for example, to take his almost 3 year old and 1 year old children to the park while he is caring for them. The probation officer has informed Mr. Ford that Mr. Ford is not a childcare facility, so Your Honor's order that Mr. Ford can "do childcare" is not "relevant."



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We respectfully disagree with the probation officer's assessment and ask Your Honor, to instruct probation that Mr. Ford is permitted to "do childcare" outside the home – precisely as Your Honor ordered and how probation in the EDCA supervised Mr. Ford.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Peter Katz, Esq.'

Peter Katz, Esq.

The Court's clear intention was and is that Mr. Katz be permitted to provide child care during his term of supervised release, including outside the home. Any construction by the Probation Department that would preclude him from doing so is incorrect. The Court trusts that this memo endorsement will clarify this issue for the Probation Department. If it does not, counsel are invited to seek a formal modification of the terms of supervised release that would explicitly state that Mr. Katz is authorized to provide childcare outside of his home. The Clerk of Court is requested to terminate the motion at Dkt. No. 39.

9/5/2023

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge